

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 10th day of May, 2022, by and between **THOMAS GLEN CANARY**, a **single person**, 3500 Greentree Road, Lexington, Kentucky 40517, which is the in-care of tax mailing address for the current year ("Grantor"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507 ("Grantee").

WITNESSETH:

That for and in consideration of the sum of **THREE HUNDRED DOLLARS AND 00/100 (\$300.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantor has **BARGAINED** and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and

Return to:
Cynthia Cannon-Ferguson
LFUCG, Dept. of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

assigns, temporary right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer improvements and construction, installation and relocation through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, depicted on the attached Exhibit "A", and more particularly described as follows, to wit:

Temporary Construction Easement
West Hickman Main Trunk E
Sewer Improvement Project
(a portion of 3500 Greentree Road)

All of that tract or parcel of land situated on the southeast side of Greentree Road, near the intersection with Claiborne Way in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

BEGINNING at the common corner of Thomas Glen Canary (3500 Greentree Road, Deed Book 3864, Page 726) and Paul Wilburn Holland (3498 Greentree Road, Deed Book 3604, Page 735), said point being in the Greentree Road southeast right-of-way; thence leaving said Holland and with said Greentree Road, South 47°51'00" West, 6.00 feet to the **TRUE POINT OF BEGINNING** in the southeast line of an existing 12-foot storm and utility easement (Cabinet C, Slide 122); thence leaving said Greentree Road and with said storm and utility easement, South 42°09'00" East, 128.76 feet to a point; thence leaving said storm and utility easement for five (5) new lines through the lands of said Canary:

1. North 47°25'18" West, 69.33 feet to a point,
2. North 47°59'18" East, 1.84 feet to a point,
3. North 42°08'08" West, 26.64 feet to a point,
4. South 47°59'18" West, 4.30 feet to a point,
5. North 47°25'18" West, 33.22 feet to a point in said Greentree Road;

Thence with said Greentree Road, North 47°51'00" East, 11.88 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 683 sq. ft (gross and net) of temporary construction easement; and

Being a portion of the property conveyed to Thomas Glen Canary, a single person, his heirs and assigns, forever, by Deed dated July 26, 2021, of record in Deed Book 3864, Page 726, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD said easement together with all rights, appurtenances, and improvements thereunto belonging unto said Grantee, its successors and assigns, for the purposes and uses herein designated.

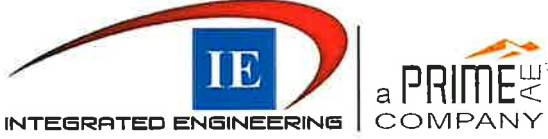
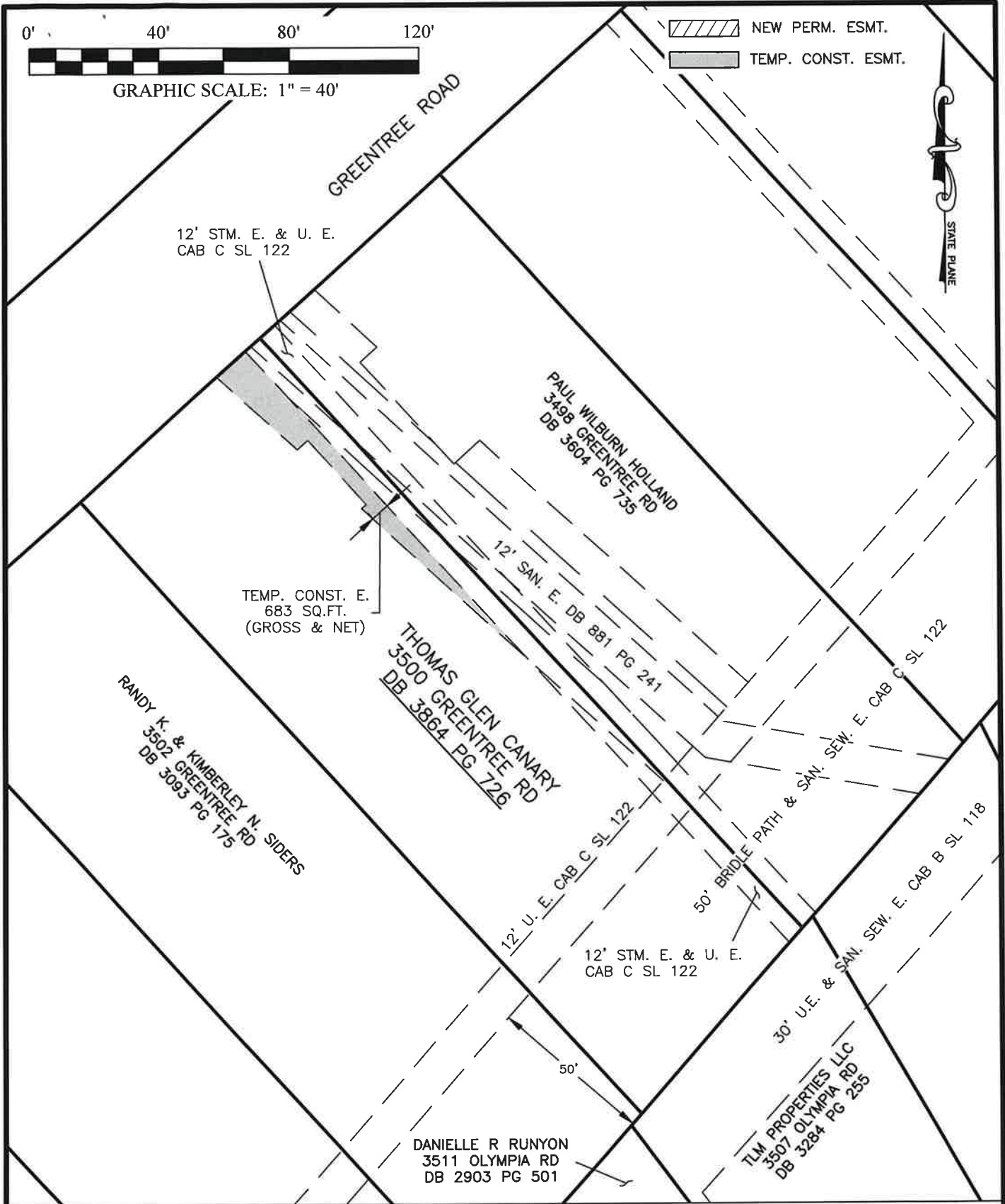
The above-described temporary construction easement runs with the land for the duration of the improvement project and is binding upon the successors and assigns of the Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon the completion of the project.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of her right, title, and interest in and to the property to the extent of the interest conveyed herein, including all exemptions allowed by law, and does hereby covenant to and with the Grantee, its successors and assigns forever, that she is lawfully seized in fee simple of said property and has good right to sell and convey the same as herein done, and that she will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 030-2022, passed by the Lexington-Fayette Urban County Council on January 27, 2022. Pursuant to KRS 382.135(2)(a), this temporary construction easement, which pertains to a public utility, need not contain a statement of consideration.

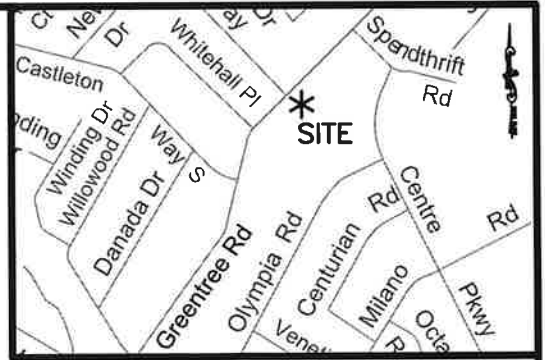
IN TESTIMONY WHEREOF, the Grantor has signed this Temporary Construction Easement, this the day and year first above written.

K:\200126 - West Hickman Trunk Sewers\Survey Info\Working Drawings\Easements\200126 Easements - Kurt_SSM.dwg
Day & Time: Nov 11, 2021 - 9:50am Login Name: kurt.hesselbach



WEST HICKMAN TRUNK E SEWER PROJECT
TEMPORARY SANITARY SEWER EASEMENT
THOMAS GLEN CANARY
3500 GREENTREE ROAD
LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 1 OF 2

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VICINITY MAP N.T.S.

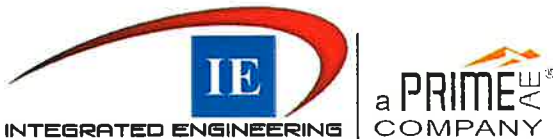
EX. PERM ESMT.=N/A
PROP. PERM ESMT.=N/A

PROP. TEMP. ESMT. (GROSS)=683 SQ.FT.
PROP. TEMP. ESMT. (NET)=683 SQ. FT.

LAND SURVEYOR'S CERTIFICATE:

THE PROPERTY LINES SHOWN ON THIS EASEMENT EXHIBIT ARE BASED ON DEED AND/OR RECORD PLAT DATA FROM THE FAYETTE COUNTY CLERK'S OFFICE. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY AS DESCRIBED IN 201 KAR 18:150 AND INTEGRATED ENGINEERING HAS NOT PERFORMED A BOUNDARY SURVEY FOR THE PURPOSES OF THIS EXHIBIT. THIS EXHIBIT IS NOT INTENDED TO BE USED FOR LAND TRANSFER.

JAMES M. CHAMBLISS, PLS 3185 _____ DATE



WEST HICKMAN TRUNK E SEWER PROJECT
TEMPORARY SANITARY SEWER EASEMENT
THOMAS GLEN CANARY
3500 GREENTREE ROAD
LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 2 OF 2

I, Donald W Blevins Jr, County Court Clerk
of Fayette County, Kentucky, hereby
certify that the foregoing instrument
has been duly recorded in my office.



By: EMILY GENTRY ,dc

202205120250

May 12, 2022 14:40:15 PM

Fees	\$53.00	Tax	\$0.00
Total Paid		\$53.00	

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7 Pages

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